

Serial No.: 10/759,677
ST00001C1 (217-US-C1)

REMARKS

Claims 1, 3-7, 9-12 and 15 are pending in the current application and Applicant has amended claims 1, 7, 10, and 13, while canceling claims 2, 8, 11, and 14. Claims 1, 7, 10, and 13 contain the allowable subject matter of claim 2, 8, 11, and 14 respectively. Applicant does not admit that claims 1, 7, 10, and 13, as presented previously, are anticipated by or made obvious in view of the cited references. Applicant further reserves the right to continue prosecution of the original claims 1, 7, 10, and 13 in a continuation application. Further, the Examiner indicated that claim 14 was rejected but did not give an explanation as to why in the action. Applicant believes that the Examiner had intended to include claim 14 in the list of claims containing allowable subject matter.

Response to 35 U.S.C. §102(e)

Claims 1, 6-7, 10, and 13 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by Salkhi patent application (US 2003/0128157 A1). This rejection is now moot, because independent claims 1, 7, 10, and 13 are now in condition for allowance.

Therefore, independent claims 1, 7, 10, and 13 as now presented are in condition for allowance along with the claims that depend from the allowable independent claims.

Response to 35 U.S.C. §103 Rejection

The Examiner rejected claims 5 under 35 U.S.C. §103 as being unpatentable over Salkhi. Applicant submits that this rejection is now moot, because claim 5 depends from an allowable independent claim and is in condition for allowance.

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Allowable Subject Matter

The Applicant acknowledges and thanks the Examiner for finding claims 2-4, 8, 9, 11, and 12 allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Independent claims 1, 7, 10, and 13 have been amended to contain the allowable subject matter of claim 2, 8, 11, and 14. Applicant believes that the Examiner mistakenly did not include claim 14 in the list of allowable claims. Claim 14 was not discussed or listed in any of the claim rejections.

Conclusion

In view of the foregoing discussion and amendments, Applicant respectfully submits that claims 1, 3-7, 8-10, 12-13, and 15 as now presented, are in a condition for allowance, which action is earnestly solicited.

Respectfully submitted,
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